

IN RE: PETITION FOR ZONING VARIANCE
NW/8 Belair Road, 25' NE of
the c/l of Overlea Avenue
(6900 Belair Road)
14th Election District
6th Councilmanic District
Della Rose's Belair Inn, Inc.
Petitioner
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 91-51-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit 0 parking spaces in lieu of the required 96 for an existing restaurant and proposed addition, in accordance with Petitioner's Exhibit 1.

The Petitioner, by Josephine Della Rose and her son, Joseph, appeared, testified, and was represented by James Anderson, Esquire. Also appearing on behalf of the Petition was Wes Guckert, Traffic expert with The Traffic Group, Inc. There were no Protestants.

Testimony indicated that the subject property, known as 6900 Belair Road, consists of 0.14 acres zoned R.U.-C.C.C.C. and is improved with an existing restaurant and bar, known as Della Rose's Belair Inn. Mr. Rose testified that his family has operated the subject restaurant at this location since 1961. He testified that prior to their ownership of the property, a restaurant and/or bar establishment existed on the property since approximately 1920. Testimony indicated that a portion of the property is rented by Petitioner as retail space and that Petitioner is desirous of converting said space for use as a restaurant and converting the existing restaurant space to a lounge area. Mr. Rose indicated it is the family's position that the overall expansion and enhancement of Della Rose's Belair Inn would be a benefit to the community as well as to their business.

Detailed testimony was presented as to the current parking situation in the area, including, but not limited to, a public parking lot located across the street from the subject site affording 39 metered parking spaces, nominal metered parking on Belair Road, and metered parking spaces on both the east and west sides of Overlea Avenue. Both Mr. Rose and his mother testified that at no time had there been any complaints by customers as to having difficulty in finding parking. Further, the Petitioners testified that they would estimate approximately 25% of their customer base may walk to the restaurant.

In light of the comments submitted by the Department of Traffic Engineering, Petitioner retained the services of The Traffic Group to examine the parking situation during peak hours, which Mr. Rose indicated were Thursday, Friday and Saturday nights between 6:00 PM and 9:00 PM. The results of the Traffic Group's findings are identified herein as Petitioner's Exhibit 4. Wes Guckert testified that in his opinion, the granting of the variance will not result in any traffic congestion as there is ample parking in the area.

To further support its position, Petitioner introduced a letter dated September 28, 1990 from Walter R. Frank, III, Executive Director of the Overlea Fullerton Development Corporation indicating their support of the relief requested. Mr. Frank notes in said letter that there is "adequate on- and off-street parking in the area comprised of a metered lot across the street from the restaurant, metered parking on Overlea Avenue and parking one block north at Cheslea Place with permission for use by Della Rose's patrons."

ORDER RECEIVED FOR FILING
Date 11/14/90
By [Signature]

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear the granting of the parking variance will not result in any detriment to the public health, safety or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of October, 1990 that the Petition for Zoning Variance to permit 0 parking spaces in lieu of the required 96 for an existing restaurant and proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 10-day appellate process from this Order has expired.

pired, if, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any permits, Petitioner shall submit a landscaping plan for approval by the Deputy Director of Planning. A copy of the approved plan shall be submitted to this office for inclusion in the case file prior to the issuance of any permits. All landscaping for the subject site shall be properly maintained by Petitioner at all times.

3) Compliance with the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management, Bureau of Water Quality, dated July 12, 1990.

4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN:bjs

ANN B. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 11/14/90
By [Signature]

Baltimore County
Zoning Commissioner
210 Allegheny Avenue
Towson, Maryland 21204
(410) 287-2553

J. Robert Hines
Deputy Zoning Commissioner

October 14, 1990

James Anderson, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NW/8 Belair Road, 25' NE of the c/l of Overlea Avenue
(6900 Belair Road)
14th Election District - 6th Councilmanic District
Della Rose's Belair Inn, Inc. - Petitioner
Case No. 91-51-A

Dear Mr. Anderson:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: People's Counsel

File

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-51-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.6.A.2. of the BCZC to permit zero (0) parking spaces in lieu of the required ninety-six (96) parking spaces for an existing restaurant and addition thereto.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

[to be determined at hearing]

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):
(Type or Print Name)	Della Rose's Belair Inn, Inc.
Signature	Signature
Address	(Type or Print Name) Josephine P. Della Rose,
City and State	President
Attorney for Petitioner:	Signature
Robert A. Hoffman	6900 Belair Road 661-1623
(Type or Print Name)	Address
Signature	Baltimore, Maryland 21204
210 ALLEGHENY AVENUE	City and State
Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Towson, Maryland 21204	Robert A. Hoffman
City and State	210 Allegheny Avenue
Attorney's Telephone No.: 823-4111	Towson, MD 21204 (301) 823-4111
	Address
	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of October, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of October, 1990, at 10:00 o'clock P.M.

ORDER RECEIVED FOR FILING
Date 11/14/90
By [Signature]

PHILIP H. CROSS
JOHN F. ETAL
WILLIAM S. ULRICH
GORDON T. LANGDON
DAVID L. RANSOME

GERHOLD, CROSS & ETAL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204
823-4470

EMERITUS
PAUL G. BOLLECHER, JR.
FRED H. BOLLECHER, JR.
CARL L. GERHOLD

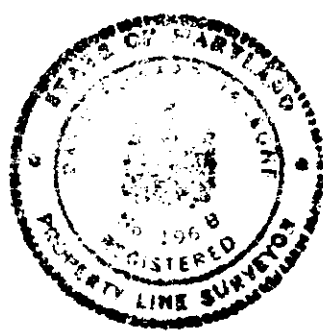
June 14, 1990

Zoning Description
No. 6900 Belair Road

All that piece or parcel of land situate, lying and being in the Fourteenth Election District of Baltimore County State of Maryland and described as follows to wit:

Beginning for the same at the corner formed by the intersection of the northwest side of Belair Road with the Northeast side of West Overlea Avenue with said beginning being distant 36 feet measured Northwesterly from the intersection of the centerline of Belair Road with the centerline of West Overlea Avenue and running thence Northeasterly, binding on the northwest side of Belair Road, 61 feet 5 inches, thence leaving said road and running Northwesterly 96 feet 10 inches, thence running Southerly 75 feet to intersect the northeast side of West Overlea Avenue and thence running Southeasterly, binding on said avenue, 65 feet 3 inches to the place of beginning.

Containing 0.14 of an Acre of land, more or less.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th
Posted for: 14 days
Date of Posting: 10/14/90
Petitioner: James Anderson, Esquire
Location of property: 6900 Belair Road, Towson, Maryland 21204
Location of Sign: 6900 Belair Road, Towson, Maryland 21204
Remarks: [Signature]
Posted by: [Signature]
Date of return: 10/14/90
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
131 West Chesapeake Avenue
Towson, Maryland 21204

Account: R0016150
Number

receipt
N. 2888

Date

10/14/90

10/14/90

PUBLIC HEARING FEES

QTY

PRICE

10/14/90

10/14/90

10/14/90

10/14/90

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10/14/90

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
Case Number: 91-51-A
NW 1/4, Belair Road, 25' NE from c/l of Overlea Avenue
6900 Belair Road
14th Election District
6th Councilmanic District
Petitioner(s):
Della Rose's Belair Inn, Inc.
Hearing Date: Wednesday, Oct. 3, 1990 at 2:00 p.m.

Variance: To permit zero parking spaces in lieu of the required ninety-six parking spaces for an existing restaurant and addition thereto.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NJ9-008 Sept. 6

CERTIFICATE OF PUBLICATION

TOWSON, MD. 9/11, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/6, 1990.

THE JEFFERSONIAN.

S. Zeke Olson

Publisher

9/11/90

NOTICE OF HEARING

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J. ROBERT HAINES
Zoning Commissioner of Baltimore County
NJ9-008 Sept. 6

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES

REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/6, 1990.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zeke Olson

Publisher

9/11/90

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

September 20, 1990

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Item No. 2, Case No. 91-51-A
Petitioner: Della Rose's Belair
Petition for Zoning Variance

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer

Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Ms. Josephine P. Della Rose
Della Rose's Belair Inn, Inc.
6900 Belair Road
Baltimore, MD 21206

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14154 Date of Posting: 9/11/90
Posted for: Della Rose's Belair Inn, Inc.
Petitioner: Della Rose's Belair Inn, Inc.
Location of property: 6900 Belair Road, 25' NE from c/l of Overlea Avenue
Location of Sign: 6900 Belair Road, 25' NE from c/l of Overlea Avenue
Remarks: Petitioner's attorney, Robert A. Hoffman, Esq., is present at the hearing.
Posted by: J. Robert Haines
Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 9/18/90

Della Rose's Belair Inn, Inc.
6900 Belair Road
Baltimore, Maryland 21206

ATTN: JOSEPHINE P. DELLA ROSE

Re: Petition for Zoning Variance
CASE NUMBER: 91-51-A
NW 1/4, Belair Road, 25' NE from c/l of Overlea Avenue
6900 Belair Road
14th Election District - 6th Councilmanic
Petitioner(s): Della Rose's Belair Inn, Inc.
HEARING: WEDNESDAY, OCTOBER 3, 1990 at 2:00 p.m.

Gentlemen:

Please be advised that \$165.46 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines

ZONING COMMISSIONER

JRH:gs

cc: Robert A. Hoffman, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 24th day of July, 1990.

J. Robert Haines

ZONING COMMISSIONER

Received By:

James E. Dyer

Chairman,
Zoning Plans Advisory Committee

Petitioner: Josephine P. Della Rose, et al
Petitioner's Attorney: Robert A. Hoffman

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: July 26, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for July 24, 1990

The Development Engineering Division has reviewed the subject zoning items and we have no comments for Items 464, 1, 2, 3, 4 and 5.

Robert W. Bowling / DAK
ROBERT W. BOWLING, P.E., Chief
Development Engineering Division

RWB:s

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: July 30, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Della Rose's, Item No. 2

The Petitioner requests a Variance to permit 0 parking spaces in lieu of the required 96 spaces for an existing restaurant and addition thereto.

Staff visited the property and found that no parking is available on site. However, metered and other surface parking is available within close proximity to the restaurant. Street trees and planters are present along Belair Road. These amenities are suffering, to some degree, from deferred maintenance.

This office recommends the Petitioner's request be granted conditioned upon an agreement by the property owner to routinely maintain the afore-mentioned landscaping.

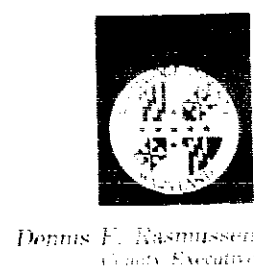
If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM2/ZAC1

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
(801) 887-3554

July 17, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204



Dennis F. Haines
County Executive

Item No. 2
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:
Area:
District:

Z.A.C. July 24, 1990
Della Rose's Belair Inn, Inc.
NW/5 Belair Road, NE of Overlea
Avenue.
B.L. - C.C.C.
Variance to permit zero parking
spaces in lieu of the required 96
parking spaces.
0.14 acre
14th Election District
6th Councilmanic District

Dear Mr. Haines:

The requested variance parking will increase parking problems in the
residential area behind the site.

Very truly yours,

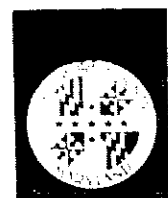
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/LW

Baltimore County
Fire Department
200 East Joppa Road, Suite 901
Towson, Maryland 21204-5000
(801) 887-1500

Dan H. Boush
Chief

JULY 30, 1990



Dennis F. Haines
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: DELLA ROSE'S BELAIR INN, INC.
Location: 6900 BELAIR ROAD
Item No.: 2 Zoning Agency: JULY 24, 1990

Comments:

Pursuant to your request, the referenced property has been reviewed by
this Bureau and the contents below are officially and positively to be
corrected or incorporated into the final plans for the property.

5. The buildings and structures existing on proposed on the site
shall comply with all applicable requirements of the Baltimore Fire
Protection Association Standard No. 163 "Life Safety Code", 1988
edition prior to occupancy.

REVIEWED *Pat Keller* 7.29.90 Noted and Approved *Jeffrey Long*
Planning Group Fire Prevention Bureau
Special Inspection Division

JR/BER

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

7/12/90
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 2, Zoning Advisory Committee Meeting of July 24, 1990

Property Owner: Della Rose's Belair Inn, Inc. District: 14

Location: 6900 Belair Road

Water Supply: Metro Sewage Disposal: Metro

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for new existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any chaboules generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewage facilities or other amusements pertaining to health, safety, and (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations for more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to zoning of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been _____, must be _____ conducted.
 - () The results are valid until _____
 - () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13.117 of the Baltimore County Code, the water well yield test () shall be valid until _____
- () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a hydrogeological study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others _____

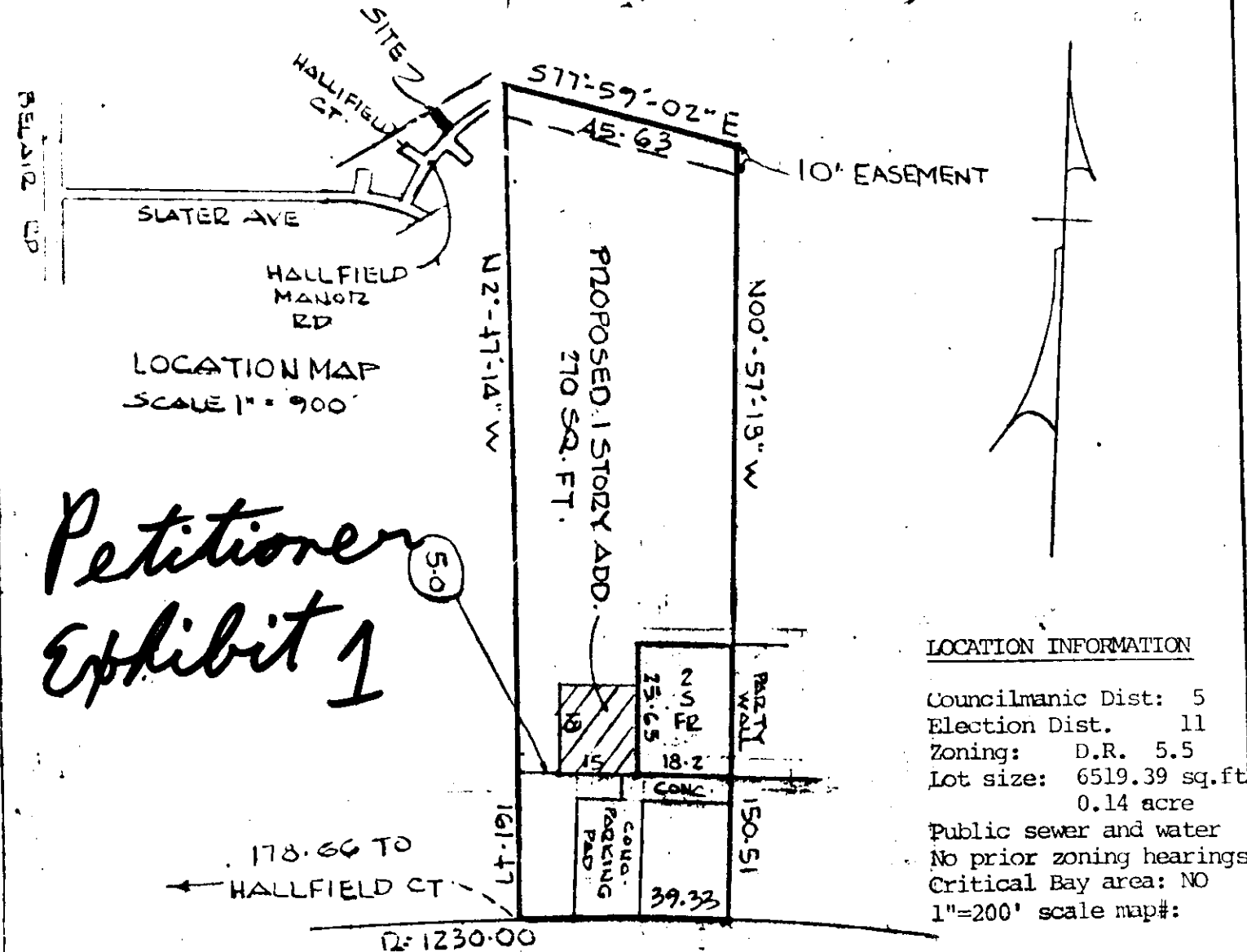
Jeffrey Long
BUREAU OF WATER QUALITY AND RESURABLE
MANAGEMENT

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Jon Anderson (Att. Forgiveance)	210 Allyn Ave, Towson, MD 21204
Joseph Della Rose	6900 Belair Rd 21206
Joseph Della Rose	6900 Belair Rd 21206

PLAN to accompany Petition for Zoning Variance



LOCATION INFORMATION
Councilmanic Dist: 5
Election Dist: 11
Zoning: D.R. 5.5
Lot size: 6519.39 sq. ft.
0.14 acre
Public sewer and water
No prior zoning hearings
Critical Bay area: NO
1"=200' scale map:

HALLFIELD MANOR RD. 91-151A
(60')

EXIST. ZONING - DR 5.5
AREA OF LOT - 6519.39 SQ. FT.

PLAT TO ACCOMPANY PETITION FOR A SIDE-YARD VARIANCE
OF 5 FEET IN LIEU OF THE REQUIRED 10 FEET
No. 4318

LOT 41 BLOCK 'C' SECTION ONE
HALLFIELD MANOR

PLAT BOOK 35-83
11TH DISTRICT BALTIMORE CO. MARYLAND
SCALE 1" = 30' DATE 9-6-90

OWNER
William Bokel Jr.
4318 Hallfield Manor Road
Baltimore, Maryland 21206



JEFFREY B. LEE
1277 NEIGHBORS AVE
BALTIMORE, MD 21207



OVERLEA FULLERTON
DEVELOPMENT CORPORATION
6721 BELAIR ROAD, BALTIMORE, MD 21206. PHONE: 301-665-4433

September 28, 1990

Robert Haines, Zoning Commissioner
Office of Planning and Zoning
111 W. Chesapeake Avenue
Room 113
Towson, Maryland 21204

Petition for Zoning Variance
Della Rose's Belair Inn
6900 Belair Road
Baltimore, Maryland 21206
Case Number: 91-51-A

Dear Mr. Haines:

The following constitutes a letter of support for the above referenced
zoning variance. The rationale for the position taken by the Overlea
Fullerton Development Corporation is as follows:

In August of 1961 the Della Rose family opened a restaurant in the
heart of Overlea at 6900 Belair Road. Since that time Della Rose's
Belair Inn has been the premier restaurant of Overlea and a meeting
place for many of the clubs and social groups in and around the Overlea
Fullerton community.

Della Rose's Belair Inn has enjoyed steady growth over the years and now
employs over a dozen people. Due to this growth the owners would now
like to expand the dining facilities. Unfortunately this proposed ex-
pansion triggers a parking space requirement of 96 spaces and eliminates
the "grandfathering" of the current zero spaces.

The Overlea Fullerton Development Corporation supports Mr. Della Rose's
request for a variance of zero spaces for the following reasons:

- 1) We feel that there is adequate on and off street parking in the
area comprised of a metered lot across the street from the
restaurant, metered parking on Overlea Avenue and parking one
block north at Cheslea Place with permission for use by Della
Rose's patrons.

Robert Haines, Zoning Commissioner
September 28, 1990
Page 2

- 2) The proposed expansion will increase the tax base of Baltimore
County.
- 3) The proposed expansion will increase the number of employees
at the restaurant.
- 4) The proposed expansion will help to stabilize the retail
vacancy rate in the area.

Finally, the Della Rose family has been involved in community endeavors
since they came to Overlea. They have given unwavering support to the
Overlea Fullerton merchants and residents and should be given every
consideration for their request.

Sincerely,
Walter R. Frank III
Walter R. Frank III
Executive Director

cc: The Honorable William Evans
The Economic Development Commission
The Overlea Community Association
Vonally, Bawjer & Howard, P.A.
The OFDC Board of Directors

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: July 30, 1990
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Della Rose's, Item No. 2

The Petitioner requests a Variance to permit 0 parking spaces in
lieu of the required 96 spaces for an existing restaurant and addi-
tion thereto.

Staff visited the property and found that no parking is avail-
able on site. However, metered and other surface parking is avail-
able within close proximity to the restaurant. Street trees and
planters are present along Belair Road. These amenities are suffer-
ing, to some degree, from deferred maintenance.

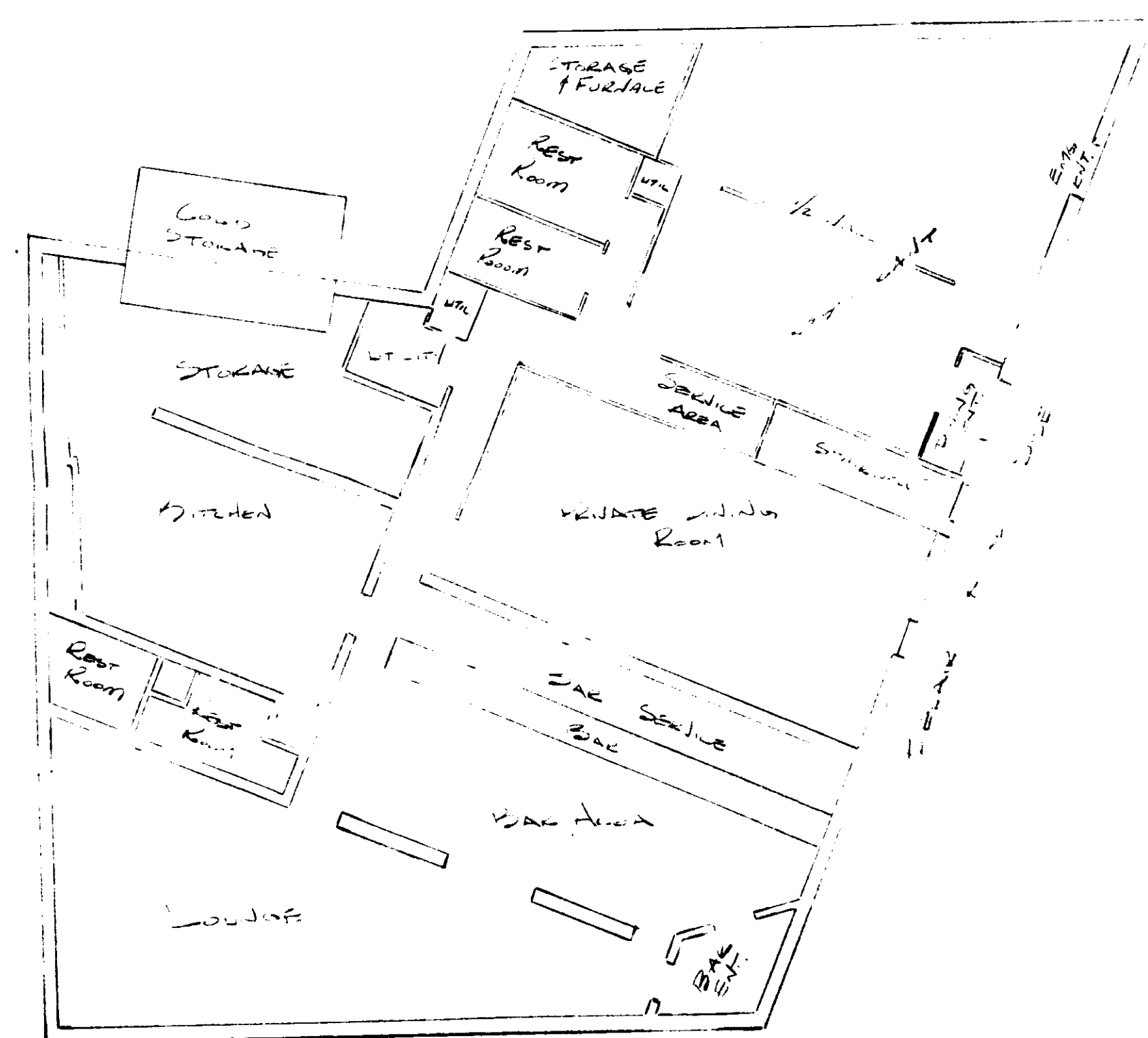
This office recommends the Petitioner's request be granted condi-
tioned upon an agreement by the property owner to routinely maintain
the afore-mentioned landscaping.

If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

PK/JL/cmm

ITEM2/ZAC1

AUG 02 1990

[illegible]

VIA CITY MAP 1:200

91-51-A

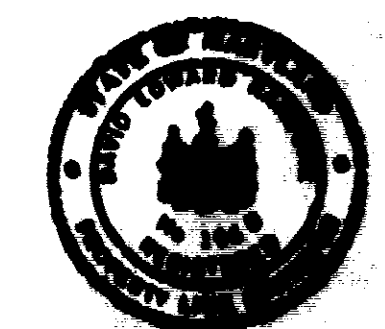
FOR ZONING PURPOSES ONLY
PLAT SHOWING IMPROVEMENTS ON
PROPERTY OF DELLA ROSE'S BELAIR INN
LOCATED IN
14TH ELECTION DISTRICT - BALTO Co. - MD.
No. 6700 BELAIR ROAD
EXISTING ZONING PL-CC6
LOT AREA = 0.14 ACRE ± DEED REF: O.T.G. No. 11 of 1961-62
6TH CONGRESSIONAL DISTRICT
OWNER: DELLA ROSE'S BELAIR INN, INC. 6700 BELAIR RD BALTO MD 21206

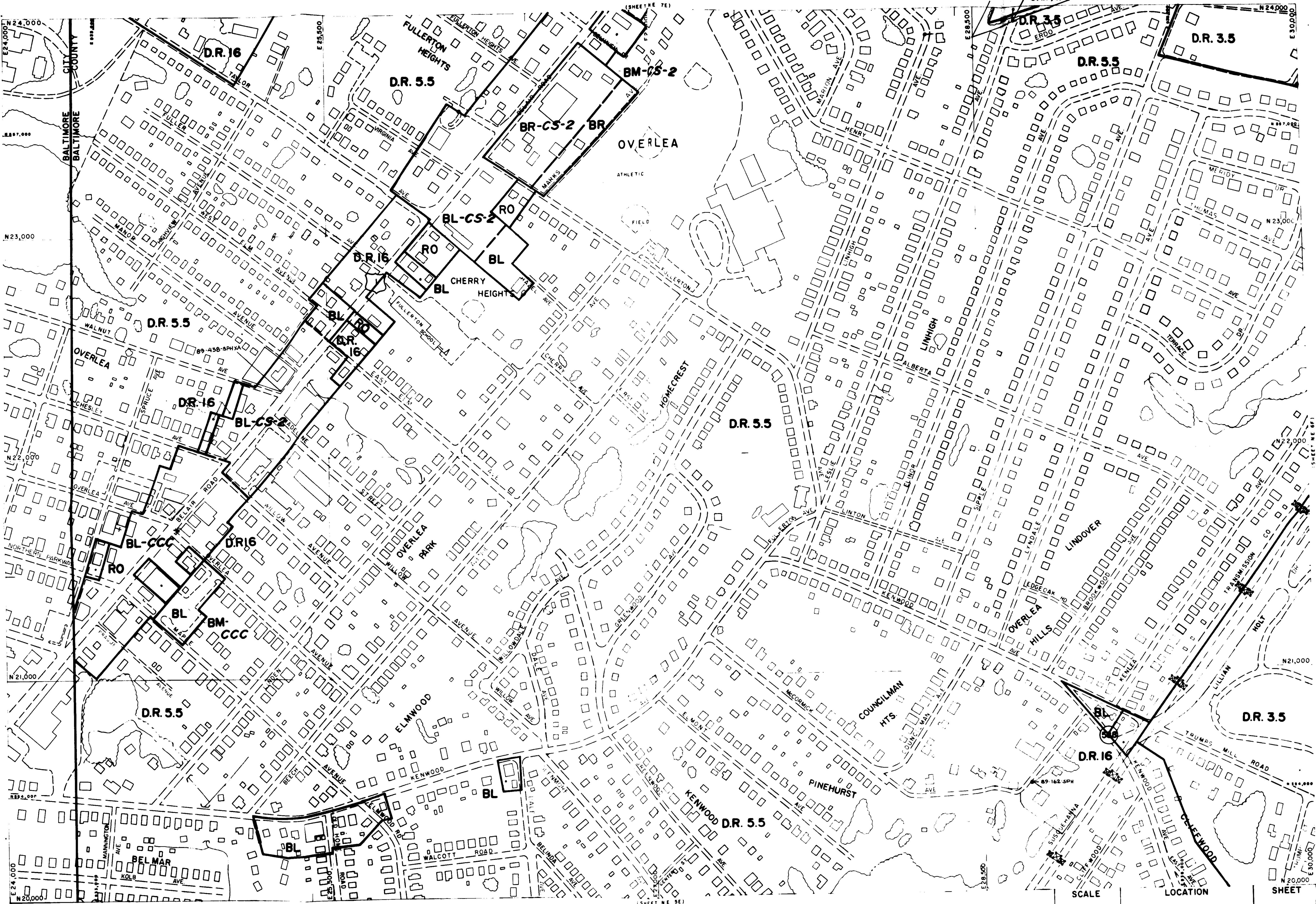
OWNER: Jena Rose & Benjamin F. ...
PETITIONER
EXHIBIT 1

JUNE 18, 1990
MAY 29, 1990
MAY 10, 1990

SCALE 1"=10' M
Gardens, Cross & Erzen
Roe LAND SURVEYORS
112 DELAWARE AVENUE
TOWSON, MD. 21204

#2





N-SE M-SW
J-NE I-NW

91-51-A

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Dec. 13, 1988
Ord. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE
1" = 200'

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
OVERLEA

SHEET

N.E.
6-E